REMARKS

The present amendment is submitted in response to the Office Action

mailed June 8, 2005. Claims 1-3, 7-12, 14-16 and 19-25 are currently pending

in the application. By this amendment, Claims 1-3, 7-12, 15-16, and 19-23

have been amended, Claims 4 and 17-18 have been cancelled and Claim 25 has

been added. No new matter or issues are believed to be introduced by this

amendment. In view of the amendments above and the remarks to follow,

reconsideration and allowance of this application are respectfully requested.

Allowed Claims

Applicants wish to thank the Examiner for indicating that the addition of

the limitation recited at note 2, page 2 of the Office Action, when added to all of

the base claims, will place the application in a condition for allowance.

Specifically, the Examiner suggests that the following limitation (re-phrased if

necessary) if added to all base claims, will place the application in condition for

allowance: *"causing a single action the particular user's remote control device*

to execute multiple activities of the identified consumer electronic equipment".

The Invention

It is instructive to first briefly review the present invention. The

invention relates to a business model and network architecture supporting the

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interests of network operators, manufacturers of IP-connected electronic equipment and end-users of the equipment. According to one aspect, a method is provided to enable a particular user to program the particular user's remote control device for use with the particular user's consumer electronics equipment. In accordance with the method, a user initiates the programming of the particular user's remote control device by either (1) pressing a dedicated button on the user's remote control device or (2) by making a menu selection on a display monitor. The user action causes a connection to be made between a network (e.g., Internet) connectable appliance, such as a set-top box, and a dedicated server over a network, such as the Internet. Upon making the connection, the user is presented with a dedicated web-site through the network-connectable appliance. After a sign-in process, the user is requested to answer questions about the consumer equipment (CE) the user has available in the home that the user wants to become controllable through the user's programmable remote control. The information provided by the user about the equipment and the user is communicated to the dedicated server via the network-connectable appliance. Next, the server's database is scanned for the proper equipment codes and/or relevant UI data for the equipment described by and communicated from the user. After the proper codes and UI data are found in the server's database. The user is allowed to add his/her customization. This is an optional step. Preferably, the user is allowed to affect or manipulate the proper codes and UI data prior to the data being programmed into the user's remote control device.

This can be achieved, e.g., through a menu displayed via the Internet-connectable appliance (e.g., a set-top box (STB)), wherein the user is requested to specify whether or not he/she desires certain operations with respect to the data. For example, the display menu may offer the option to program a single action on the remote to cause the execution of multiple activities of specific appliances among the user's CE equipment. Customization is preferably performed prior to programming the code and UI data into the user's remote control, either at the server or at the network -connectable appliance if the latter has the proper software configuration. Next, the user is prompted to place the user's remote control device within range of an IR or RF blaster, connected to or integrated within the Internet-connectable appliance to wirelessly program the code and UI data into the user's remote control, whereupon, via the web-site, the data for the proper codes and UI features is downloaded and programmed into the user's remote control device. Upon completion of this process, the remote control is the most convenient one to be used. Further, programming the remote control is an automated process from the users' point of view.

35 U.S.C. §103(a)

In the Office Action, Claims 1-4, 7 and 20-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,104,334 – Allport, in view of US Patent No. 5,410,326 – Goldstein, in further view US Patent No. 078,879 – Farry et al. (hereafter Farry).

Applicants respectfully traverse the rejection under 35 U.S.C. §103(a)

however, Claims 1-3, 7 and 20-22 have been amended.

To establish a prima facie case of obviousness, three basic criteria must

be met. First, there must be some suggestion or motivation, either in the

references themselves or in the knowledge generally available to one of ordinary

skill in the art, to modify the reference or to combine reference teachings.

Second, there must be a reasonable expectation of success. Finally, the prior art

reference (or references when combined) must teach or suggest all the claim

limitations. In this case, the cited art fails to teach or suggest each of the claim

limitations recited in the application.

For instance, claim 1 recites *connecting a network connectable appliance*

to a dedicated server on the network in response to the particular user

controlling particular user's remote control device. The Office Action states

that Allport teaches this feature at col. 8, lines 30-57, col. 9, lines 63-65 and at

col. 4, lines 62-65. The Applicants traverse the above finding for the following

reasons.

Allport at Col. 8, lines 30-57 merely teaches various methods for

programming the remote control to perform simple and complex tasks. One

method taught in Allport at Col. 8, lines 30-57 is to use an integrated keyboard

for simple tasks. Another method taught in Allport for programming the

functions to be performed by certain buttons at Col. 8, lines 30-57 is by using an

IR keyboard or by using PC software on a PC. Another method taught in Allport

is to download Java applets or similar predefined functions from the Internet as a potential source of filters or other information. Applicants respectfully submit none of the methods described above teaches or suggests the act of *connecting a network connectable appliance to a dedicated server on the network in response to the particular user controlling particular user's remote control device* as recited in Claim 1, as amended.

With respect to Allport at Col. 9, lines 63-65, it is respectfully submitted that Allport merely recites that the display of the remote control screen provides various screens through which devices may be controlled. These screen types include a pictures screen 20, a music screen 25 and 'other' screens 40. Allport teaches that "Devices controlled from the 'other' screen may include kitchen appliances, a web browser on an advanced TV, a security system, a baby monitor, etc. Applicants respectfully submit the display of various screen types does not teach or suggest the act of *connecting a network connectable appliance to a dedicated server on the network in response to the particular user controlling particular user's remote control device.*

With respect to Allport at col. 4, lines 62-65, it is respectfully submitted that Allport at Col. 4, 62-65 merely recites that the invention is consumer friendly in the sense that it allows consumers to access desired CDs, TV programs, satellite or cable programs, ..., etc.. through consumer friendly associations (e.g., program name, song title, album title, ...etc.. Applicants respectfully submit that the disclosure in Allport at col. 4, lines 62-65 does not

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teach or suggests the act of *connecting a network connectable appliance to a dedicated server on the network <u>in response to</u> the particular user controlling particular user's remote control device.*

To better define Applicant's invention over the cited references, singly and in combination, Independent Claim 1 has been amended. Claim 1 now recites limitations and/or features, discussed above, which are not disclosed by the cited references, alone and in combination.

Claim 1 as amended herein recites:

1. A method of enabling a particular user to program the particular user's remote control device for use with the particular user's consumer electronics equipment, the method comprising:

a) connecting a network connectable appliance to a dedicated server on the network in response to the particular user controlling the particular user's remote control device;

b) requesting, by the dedicated server via the network connectable appliance, alphanumeric information from the particular user, corresponding to the particular user's consumer electronics equipment, wherein said dedicated server request is made to said network connectable appliance responsive to said connection at said step (a);

c) supplying, from the particular user to the dedicated server, via the network connectable appliance, the requested alphanumeric information, corresponding to the particular user's consumer electronics equipment;

d) performing a query, at the dedicated server, based on the alphanumeric information supplied by the particular user, to match the alphanumeric information supplied by the particular user with alphanumeric information stored in a data repository, wherein the data repository relates types, versions and brands of consumer electronics equipment to their respective control codes; and

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e) downloading, from the dedicated server to the network connectable appliance, data representative of at least one control code, <u>wherein said data matches the alphanumeric information supplied by the particular user for use with the particular user's consumer electronics equipment;</u> and

f) programming the particular user's remote control device according to the downloaded data <u>representative of at least one control code, via the network connectable appliance.</u>

It is respectfully submitted that at least the limitations and/or features of Claim 1 which are underlined above is not anticipated by the disclosure of the cited references, alone and in combination.

Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §103(a) of independent claim 1 be withdrawn, and independent claim 1 be allowed. In addition, as Claims 2-4 depend from independent Claim 1 and therefore contain the limitations of Claim 1, Applicants respectfully request that Claims 2-4 also be allowed over the prior art of record.

Independent Claim 7 as amended, recites similar subject matter as Claim 1, as amended, and therefore contains the limitations of Claim 1. Accordingly, it is respectfully requested that the rejection under 35 USC 103 of independent claim 7 be withdrawn, and independent claim 7 be allowed.

Claims 20-22 depend from independent Claim 1 and therefore contain the limitations of Claim 1. Accordingly, it is respectfully requested that the rejection under 35 USC 103 of independent claims 20-22 be withdrawn, and independent claims 20-22 be allowed.

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35 U.S.C. §103(a)

Claims 7-12, 14-19, and 23-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Allport in view of Goldstein and further exemplified by U.S. Patent No. 6,314,572 – LaRocca et al. (hereinafter LaRocca).

Regarding Claims 10 and 19-24, as Claims 10 and 19-24 depend from independent Claim 1 and therefore contains the limitations of Claim 1, Applicants respectfully request that Claims 10 and 19-24 be allowed over the prior art of record.

Regarding Claim 7, LaRocca is cited for teaching storing a subscriber/consumer profile and billing information in a database. It is respectfully submitted that LaRocca does not cure the deficiencies of Allport and Goldstein, singly and in combination. Specifically, it is respectfully submitted that LaRocca does not teach at least: including means for causing the network connectable appliance to initiate a connection to the dedicated server on the network. For at least the reasons cited above, it is respectfully submitted that Claim 7, as amended, is patentable over Allport and Goldstein, singly and in combination.

Accordingly, it is respectfully requested that the rejection under 35 USC 103 of independent claim 7 be withdrawn, and independent claim 7 be allowed. In addition, as Claims 8-9 depend from independent Claim 7 and therefore contain the limitations of Claim 7, Applicants respectfully request that Claims 8-9 also be allowed over the prior art of record.

Independent Claim 11, as amended, recites, *inter alia*:

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enabling respective users of consumer electronics equipment to specify, to a dedicated server on a data network, alphanumeric information about the respective users' consumer electronics equipment , <u>wherein the users specify the information about the respective users' consumer electronics equipment via a query/answer session conducted between the user and the dedicated server via an intermediary network compatible device;</u> [Emphasis Added]

It is respectfully submitted that at least the limitations and/or features of Claim 11 which are underlined above is not anticipated by the disclosure of the cited references, alone and in combination.

Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §103(a) of independent claim 11 be withdrawn, and independent claim 11 be allowed. In addition, as Claims 12-14depend from independent Claim 1 and therefore contain the limitations of Claim 11, Applicants respectfully request that Claims 12-14 also be allowed over the prior art of record.
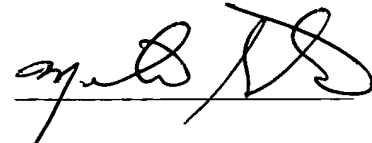
Independent Claims 15 and 16 as amended, recites similar subject matter as Claims 1 and 7 as amended, and therefore contains the limitations of Claim 1 and 7. Accordingly, it is respectfully requested that the rejection under 35 USC 103 of independent claims 15 and 16 be withdrawn, and independent claims 15 and 16 be allowed.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-3, 7-12, 14-16 and 19-25 are believed to be in condition for allowance and patentably distinguishable over the art of record.

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If the Examiner should have any questions concerning this communication or

feels that an interview would be helpful, the Examiner is requested to call

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Respectfully submitted,

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